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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/981,726	10/19/2001	Cheng Tsung Chang	MR2349-699	6099

4586 7590 12/15/2004

ROSENBERG, KLEIN & LEE
3458 ELLICOTT CENTER DRIVE-SUITE 101
ELLICOTT CITY, MD 21043

EXAMINER

OPIE, GEORGE L

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/981,726	Chang et al.	
	Examiner	Art Unit	
	George L. Opie	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) is/are withdrawn from consideration.
- 5) ☐ Claim(s) is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) is/are objected to.
- 8) ☐ Claim(s) are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) .
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 14) ☒ Notice of References Cited (PTO-892) 17) ☐ Interview Summary (PTO-413) Paper No(s) .
- 15) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 18) ☐ Notice of Informal Patent Application (PTO-152)
- 16) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) . 19) ☒ Other: Text Docs for USP6,292,849 USP5,715,474

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DETAILED ACTION**1. Request for copy of Applicant's response on floppy disk:**

Please help expedite the prosecution of this application by including, along with your amendment response in paper form, an electronic file copy in WordPerfect, Microsoft Word, or in ASCII text format on a 3½ inch IBM format floppy disk. Please include all pending claims along with your responsive remarks. Only the paper copy will be entered -- your floppy disk file will be considered a duplicate copy. Signatures are not required on the disk copy. The floppy disk copy is not mandatory, however, it will help expedite the processing of your application. Your cooperation is appreciated.

2. Objections to the Specification

The following objections to the specification identify grammatical problems found in the course of examination. The Applicant should carefully review the specification and correct all similar grammatical and/or typographical problems which may not be detailed below.

Title: "SEVER ARCHITECTURE"

Field of the invention: "sever architecture"

Summary of the invention: "sever architecture"

Abstract: "sever architecture"

3. Claim Objections

The term "sever architecture" is recited in each of the claims. This wording appears to be a typographical problem requiring correction.

4. The U.S. Patents used in the art rejections below have been provided as text documents which correspond to the U.S. Patents. The relevant portions of the text documents are cited according to page and line numbers in the art rejections below. For the convenience of Applicant, the cited sections are highlighted in the *text documents*.

5. Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the

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subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Burke et al. (U.S. Patent 5,715,474) in view of Kimura et al. (U.S. Patent 6,292,849).

As to claim 1, Burke teaches a system with parallel server architecture (CPU time for all of the applications, p13 35-42) comprising a CPU, memory and I/O interface (device ... comprises CPU 10, RAM 8 and I/O terminal 13, p4 15-32) the computer system further having:

a common device driver unit for managing the I/O interface of at least one common device of the computer system (session manager 28 manages all interaction with a shared data communication device 30, p5 9-14)

at least one application module unit runnable on the computer system and comprising hardware and software to perform certain function with the help of the common device in the common device driver unit (multiple applications 20, 22 to share a single shared data communication device 30, p13 35-42).

Burke does not explicitly disclose the additional limitations detailed below.

Kimura teaches a message exchange unit (interface object 15, p5 40-46) functioned as message interface of the common device driver unit (control OCX ... pass the events ... through interface objects, p11 21-31) and the application module unit (interface between an application program, p9 17-20) wherein the common device driver unit is in same hierarchy as each of the at least one application module unit (common objects can be provided as components of executable software, p4 19-29) the communication between the common device driver unit and each of the at least one application module unit is controlled by the message exchange unit (using the interface object ... enabling two-way communication of properties, methods and events, p9 31-36).

It would have been obvious to combine Kimura's teachings with Burke because the interface objects provide an efficacious instrumentality "to accommodate updated versions of the peripheral devices", Kimura p10 19-27 that might be installed in the course of upgrading the system.

As to claim 2, Kimura (p4 19-34) teaches each of the at least one application module unit (container application 20) has at least one personal device to perform specific function (operation executed when a given input device, push-button or key is pressed).

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As to claim 3, Burke teaches "API manager 44 ... also sends messages with priorities ... and passes modem control commands ... to the queue", p5 27-32, and from this, one skilled in the art would have provided the application module unit can issue requests to the common device driver unit through the message exchange unit for accessing the common device, the common device driver unit schedules the requests and replies the requests by priority.

As to claim 4, Kimura (p4 51 – p5 2) teaches the "container application 20 creates a first object OCX 10, and ... COleDispatchDriver is included ... and can thereby use the methods" for providing auxiliary functions to access all service tasks provided by the common device driver unit.

As to claims 5-6, Kimura (p9 38-54) teaches the common device driver unit (common object) and application module unit (application program 71) can be integrated into a chip or modularized (installed or stored on ... ROM, EPROM or any other media suitable for storing computer instructions).

As to claims 7-8, Burke teaches the "message or command is written into the transmit buffer 105 of device manager 48", p20 19-47 which corresponds to the exchange buffer unit recitations.

As to claim 9, Kimura teaches the "common objects can be provided as components of executable software", p4 19-30 and authorization is intrinsic to the governing of object communications, which would thus include the access permission as claimed.

7. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure. Specifically, the below reference(s) will also have relevancy to one or more elements of the Applicant's claimed invention as follows:

U.S. Patent No. 6,704,807 to Mathur et al. which teaches the mechanisms for abstracting communications with I/O devices to increase compatibility;

U.S. Patent No. 6,480,903 to Voutaz et al. which teaches functions implemented through a common hardware component interface;

U.S. Patent No. 5,465,364 to Lathrop et al. which teaches the device independent module for improving/standardizing management of system peripherals.

8. Contact Information:

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system.

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Status information for published applications may be obtained from either Private-PAIR or Public-PAIR.

Status information for unpublished applications is available through Private-PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

All responses sent by U.S. Mail should be mailed to:


Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to Crystal Park Two, 2021 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist). All hand-delivered responses will be handled and entered by the docketing personnel. Please do not hand deliver responses directly to the Examiner.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at **(703) 305-9600**.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Opie at (571) 272-3766 or via e-mail at George.Opie@uspto.gov. Internet e-mail should not be used where sensitive data will be exchanged or where there exists a possibility that sensitive data could be identified unless there is an express waiver of the confidentiality requirements under 35 U.S.C. 122 by the Applicant. Sensitive data includes confidential information related to patent applications.


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